

## Surface Mining Reclamation and Enforcement, Interior

## § 946.15

as the regulatory authority in Virginia for all surface coal mining and reclamation operations and all exploration operations on non-Federal and non-Indian lands. Copies of the approved program as amended are available for review at the following locations:

(a) Virginia Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219.

(b) Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, room 220, Route 23, Big Stone Gap, Virginia 24219.

[51 FR 42554, Nov. 25, 1986, as amended at 59 FR 17930, Apr. 15, 1994]

### § 946.11 Conditions of State regulatory program approval.

The approval of the Virginia State program is subject to the State revising its program to correct the deficiencies listed in this section. The program revisions may be made, as appropriate, to the statute, the regulations, the program narrative, or the Attorney General's opinion. This section indicates, for the general guidance of the State, the component of the program to which the Secretary recommends the change be made.

[46 FR 61114, Dec. 15, 1981, as amended at 47 FR 31550, July 21, 1982; 47 FR 55678, Dec. 13, 1982; 48 FR 25186, June 6, 1983; 48 FR 46031, Nov. 11, 1983; 49 FR 19478, May 8, 1984]

### § 946.12 State program provisions and amendments not approved.

(a) The following provisions are disapproved effective April 22, 1983: Paragraphs 3.01(a)(1), 3.01(a)(4) and 3.01 (a)(5) of the Virginia Coal Surface Mining and Reclamation Regulations for Operations Disturbing Two Surface Acres or Less.

(b) The following provisions of the coal surface mining reclamation regulations promulgated pursuant to Chapter 19, Title 45.1 of the Code of Virginia

(1950), as submitted on November 8, 1985, as hereby disapproved:

(1) The definition of "affected area" in section 480-03-19.700.5 to the extent that it could be interpreted as excluding all public roads with more than incidental public use;

(2) Section 480-03-19.761.11(h), which prohibits mining on certain Federal lands, in its entirety; and

(c)(1) We are not approving the words, "or the UCP revision current at the time of issuance of the letter of credit," in the definition of "Collateral bond," paragraph (d), at 4 VAC 25-130-700.5; and

(2) We are not approving the words, "or revision current at the time of issuance of the letter of credit" at 4 VAC 25-130-800.21(c)(1).

[50 FR 32851, Aug. 15, 1985, as amended at 51 FR 42554, Nov. 25, 1986; 52 FR 26973, July 17, 1987; 66 FR 43483, Aug. 20, 2001]

### § 946.13 State program provisions set aside.

(a) Paragraphs 3.01(a)(1), 3.01(a)(4) and 3.01(a)(5) of the Virginia Coal Surface Mining and Reclamation Regulations for Operations Disturbing Two Surface Acres or Less are inconsistent with and less effective than the Federal provisions for the two-acre exemption and are set aside in their entirety under the provisions of section 505(b) of the Surface Mining Control and Reclamation Act of 1977.

(b) [Reserved]

[50 FR 32851, Aug. 15, 1985]

### § 946.15 Approval of Virginia regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

| Original amendment submission date | Date of final publication | Citation/description  |
|------------------------------------|---------------------------|---|
| January 28, 1982 .....             | July 21, 1982 .....       | Virginia's revised policy statement granting authority to field inspectors to issue cessation orders for imminent danger or harm. |
| July 9, 1982 .....                 | August 19, 1982 .....     | VA Code § 33.1-246.1; V816.150, V817.150.   |